

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Levine et al.

Serial No.: 10/674,642

Filed: September 30, 2003

For: **Method and Apparatus to  
Autonomically Count Instruction  
Execution for Applications**

35525

PATENT TRADEMARK OFFICE  
CUSTOMER NUMBER

§ Group Art Unit: 2192  
§  
§ Examiner: Das, Chameli  
§  
§ Attorney Docket No.: AUS920030484US1

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Respectfully submitted,

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

**Levine et al.**

Serial No: **10/674,642**

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Title: **Method and Apparatus to  
Autonomically Count Instruction Execution  
for Applications**

Group Art Unit: **2192**

Intellectual Property  
Law Department  
International Business  
Machines Corporation  
11400 Burnet Road  
Austin, Texas 78758

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the patentability of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

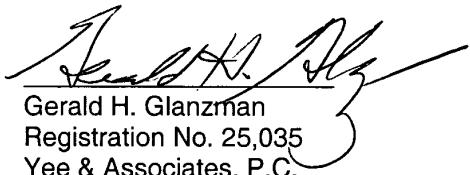
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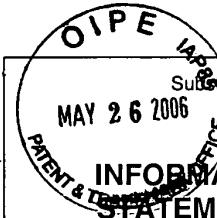
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|                      |                 | Complete if Known |  |
|----------------------|-----------------|-------------------|--|
| Application Number   | 10/674,642      |                   |  |
| Filing Date          | 09/30/2003      |                   |  |
| First Named Inventor | Levine et al.   |                   |  |
| Examiner Name        | Das, Chameli    |                   |  |
| Art Unit             | 2192            |                   |  |
| Attorney Docket No.  | AUS920030484US1 |                   |  |

| Examiner Initials | Document Number | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|-------------------|-----------------|--------------------------------|--|---|
| AA                | 5051944         | 09-24-1991                     | Fetterolf et al.                                   |   |
| AB                | 5142634         | 08-25-1992                     | Fite et al.  |   |
| AC                | 5394529         | 02-28-1995                     | Brown, III et al.                                  |   |
| AD                | 6233679 B1      | 05-15-2001                     | Holmberg   |   |
| AE                | 5887159         | 03-23-1999                     | Burrows  |   |
| AF                | 6662295 B2      | 12-09-2003                     | Yamaura  |   |
| AG                | 5938760         | 08-17-1999                     | Levine et al.                                      |   |
| AH                | 6189072 B1      | 02-13-2001                     | Levine et al.                                      |   |
| AI                | 5276833         | 01-04-1994                     | Auvinen et al.                                     |   |
| AJ                | 5287481         | 02-15-1994                     | Lin  |   |
| AK                | 5537572         | 07-16-1996                     | Michelsen et al.                                   |   |
|                   |                 |                                |  |   |
|                   |                 |                                |  |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initial | Foreign Patent Document | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
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**NON-PATENT LITERATURE**

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|------------------|---|
| Examiner Initial | Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
| AL               | JEONG et al., "Cost Sensitive Cache Replacement Algorithms", June 2002, Second Workshop on Cashing, Coherence and Consistency, NY, pp. 1-14.  |
|                  |   |
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Examiner:

Date Considered:

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